

**UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION**

**IN RE: BLUE CROSS BLUE SHIELD ANTITRUST  
LITIGATION**

MDL No. 2406

(SEE ATTACHED SCHEDULE)

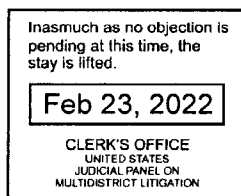
**CONDITIONAL TRANSFER ORDER (CTO –38)**

On December 12, 2012, the Panel transferred 2 civil action(s) to the United States District Court for the Northern District of Alabama for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 908 F.Supp.2d 1373 (J.P.M.L. 2012). Since that time, 67 additional action(s) have been transferred to the Northern District of Alabama. With the consent of that court, all such actions have been assigned to the Honorable R. David Proctor.

It appears that the action(s) on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Northern District of Alabama and assigned to Judge Proctor.

Pursuant to Rule 7.1 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, the action(s) on the attached schedule are transferred under 28 U.S.C. § 1407 to the Northern District of Alabama for the reasons stated in the order of December 12, 2012, and, with the consent of that court, assigned to the Honorable R. David Proctor.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Northern District of Alabama. The transmittal of this order to said Clerk shall be stayed 7 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 7-day period, the stay will be continued until further order of the Panel.



FOR THE PANEL:

John W. Nichols  
Clerk of the Panel

TRUE COPY:  
By:

**IN RE: BLUE CROSS BLUE SHIELD ANTITRUST  
LITIGATION**

MDL No. 2406

**SCHEDULE CTO-38 – TAG-ALONG ACTIONS**

<b><u>DIST</u></b>	<b><u>DIV.</u></b>	<b><u>C.A.NO.</u></b>	<b><u>CASE CAPTION</u></b>
NEW YORK SOUTHERN			
NYS	1	21-09101	Metropolitan Transportation Authority et al v. Blue Cross and Blue Shield of Alabama et al